

Article - Local Government

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§1–704.

(a) It is the policy of the State to authorize each county and municipality to displace or limit competition in the area of water and sewerage systems to:

- (1) assure delivery of adequate, economical, and efficient water and sewerage services;
- (2) avoid duplication of water and sewerage facilities;
- (3) control disease and provide for the public health and safety;
- (4) prevent environmental degradation;
- (5) protect natural resources;
- (6) use the public right-of-way efficiently; and
- (7) promote the general welfare by providing adequate water and sewerage systems.

(b) (1) Notwithstanding any anticompetitive effect, a county or municipality may:

- (i) grant one or more franchises or enter into contracts for water or sewerage systems on an exclusive or nonexclusive basis;
- (ii) impose franchise fees;
- (iii) establish charges and rates applicable to the franchise; and
- (iv) adopt rules, regulations, and licensing requirements for the operation of the franchise.

(2) If another law grants a county or municipality the authority to operate water and sewerage systems, the county or municipality shall operate the systems without regard to any anticompetitive effect.

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